

REMARKS

A petition to extend the time for response by one (1) month is enclosed herewith.

Claims 16-25 and 27-32 were previously pending in the application. By the Amendment, Claims 16-20 and 23-24 are currently amended and Claims 21-22, 25 and 27-32 remain unchanged, claim 26 being cancelled by previous amendment.

Applicants gratefully acknowledge the Examiner's indication that Claims 20-23 include allowable subject matter. Rewriting of these claims is being held in abeyance pending the outcome of the examination of the presently amended claims.

Claims 16, 17, 18, 24, 25, 27-30 and 32 were rejected under 35 USC §103(a) as being unpatentable over US Patent No. 7,121,675 to Ter-Hovhannisian (Ter-Hovhannisian '675) in view of US Patent No. 7,107,779 to Avenwedde (Avenwedde '779) and US Patent Publication No. 2003/0042852 to Chen (Chen Pub '852). Claim 19 was rejected under 35 USC §103(a) as being unpatentable over Ter-Hovhannisian '675 in view of Avenwedde '779, Chen Pub '852 and further in view of US Patent No. 6,478,445 to Lange et al. (Lange '445). Claim 31 was rejected under 35 USC §103(a) as being unpatentable over Ter-Hovhannisian '675 in view of Avenwedde '779, Chen Pub '852 and further in view of US Patent Publication No. 2003/0122455 to Caldwell (Caldwell '455).

Independent Claim 16 recites a refrigerating appliance including a housing having a plurality of structural elements and defining an interior space and an internal lighting system disposed for illuminating at least a portion of the interior

space. The internal lighting system includes at least one organic light-emitting diode (OLED) for illuminating at least a portion of the interior space with the OLED including a substrate having applied thereto an electrode, at least one layer of organic material and a counter-electrode. The substrate is formed as a transparent plate. The OLED is supported in the housing for forming a luminous surface from at least one of the structural elements.

Amended claim 16 is supported by text passages of the specification from page 2, 1st paragraph, and page 3, last paragraph, page 4, lines 1-28. The amended claims make it clear that at least one OLED forms a luminous surface from a structural element in the interior space of the refrigerating appliance, which could include at least one of the internal walls or a surface of a built-in component.

The refrigerating unit 10 in Figure 1 of Ter-Hovhannisian '675 uses for lighting its internal shelves 12 lighting units 20 (see Figure 2) on a support plate 24. According to the text passage in column 5, lines 11 to 21, each light unit 20 comprises a plurality of LEDs 22. Because of the narrow light emitting angle of LEDs, Ter-Hovhannisian '675 provides reflectors 26 (see Figure 3 or Figures 4 to 6 and column 5, lines 27 to 39) for light dispersion. This specific implementation indicates that Ter-Hovhannisian '675 only wants to use LEDs and nothing else. Further, the LEDs are mounted on a support element 24 which is attached to a shelf 12 outside the volume of the shelf. Thus, the lighting system of Ter-Hovhannisian '675 has nothing to do with the inventive OLED lighting system of amended claim 16, and a combination of Ter-Hovannisian '675 and any other reference is an improper combination and thus cannot support an obviousness-based rejection of the present claims.

The refrigerating appliance 2 (see figure 1) of Avenwedde '779 includes a plate 10 (see Figure 2) with a rear margin 20. An additional housing 22 is rigidly

connected (see column 4, lines 15 to 22) to the rear front face of the plate 10 along the rear margin 20. Within the housing 22 light emitting diodes (LEDs) 24 are arranged in a line along the front face of the rear margin 20. The text passage in column 4, lines 35 to 41 mentions as an alternative to conventional light emitting diodes organic light emitting diodes within the housing 22. Thus, the concept used here is to couple light into the plate 10 for illumination purposes through the rear front face of the plate by LEDs or OLEDs arranged in the additional light source component 22. Therefore, the housing or light source component 22 with the LEDs does not form the plate 10, as it is only attached to it as a vertically and lateral protruding extra-element. The housing occupies, i.e. allocates a lamellar or stripe-shaped area along the rear margin 20 of the plate 10 and therefore reduces the width of the plate 10. Thus, some interior volume of the refrigerating appliance is wasted.

The same engineering approach is also kept for the illumination of the inner wall of the door 3 of the refrigerating appliance 2 according to Figure 5. A plate 10 contacts as an intermediate wall the interior surface of the door 3. At the top margin and at the lower margin of the plate 10 a housing 22 is provided respectively as an additional, protruding light source component in the same manner as in Figure 2.

Therefore, Avenwedde '779 does not teach a luminous surface of the plate by OLEDs themselves, and is improperly combined with Ter-Hovannisian '675 in rejecting the present claims.

Chen Pub '852 deals only in a general manner with a specific manufacturing method for OLED encapsulation (see abstract). Chen notes in section [0004] that OLEDs are used in full-color flat panel displays or monitors, and accordingly Chen Pub '852 document leads away from the technical field of

the invention. Accordingly, Chen Pub. '852 is improperly combined with Ter-Hovannisian '675 and Avenwedde '779 in rejecting the present claims.

Lange '445 is even more distinguishable, as with respect of Figures 2, 3 the text passage in column 5, lines 19 to 32 gives the information: "In operation, an exemplary embodiment employs two halogen lamps 54 as light source 20...".

Caldwell Pub. '455 only deals with an intelligent shelving system with display units 233 (see figure 1) providing information relating to objects stored in the shelving system (see abstract).

In contrast to the foregoing, the presently inventive refrigerating appliance provides at least one OLED which is integrated in or mounted on at least one of the internal walls of the refrigerating appliance or a wall of a built-in component forming a luminous surface of the respective internal wall or the wall of the built-in component. Accordingly, not only is there no motivation to combine any of the references, absent improper hindsight reasoning, no combination of the references would result in the present invention as claimed.

For these and other reasons, Ter-Hovannissian '765, Avenwedde '779 and Chen Pub '852, either alone or in any combination, do not teach or suggest the subject matter defined by independent Claim 16. Therefore, Claim 16 is allowable. Claims 18, 20-25, 26-30 and 32 depend from Claim 16 and are allowable for the same reasons and also because they recite additional patentable subject matter.

In addition, for these and other reasons, Ter-Hovannissian '765, Avenwedde '779 and Chen Pub '852 and Lange '445, either alone or in any combination, do not teach or suggest the subject matter defined by Claim 19.

Claim 19 depends from Claim 16 and is allowable for the same reasons and also because it recites additional patentable subject matter.

Further, for these and other reasons, Ter-Hovannissian '765, Avenwedde '779 and Chen Pub '852 and Caldwell Pub '455, either alone or in any combination, do not teach or suggest the subject matter defined by Claim 31. Claim 31 depends from Claim 16 and is allowable for the same reasons and also because it recites additional patentable subject matter.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 16-25 and 27-32 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,



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